

JASON M. FRIERSON
United States Attorney
District of Nevada
Nevada Bar Number 7709
ALLISON REESE
Nevada Bar Number 13977
Assistant United States Attorney
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
Phone: (702) 388-6336
Email: allison.reese@usdoj.gov
Attorneys for the United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAMION HAILU,

Defendant.

Case No.: 2:23-cr-00085-ART-VCF

**STIPULATION RELATING TO
DISCOVERY DISCLOSURES**

IT IS HEREBY STIPULATED AND AGREED, by and between JASON M. FRIERSON, United States Attorney, and ALLISON REESE, Assistant United States Attorney, counsel for the United States of America, and RENE VALLADARES, Federal Public Defender, and REBECCA LEVY, Assistant Federal Public Defender, counsel for Defendant DAMION HAILU, and hereby state the parties have met and conferred on the scope, timing, and method of pretrial disclosure of discovery.¹ The deadlines agreed upon are as follows:

1. The Government will disclose all discovery pursuant to Federal Rule of Criminal Procedure 16(a)(1)(A)-(F) no later than July 21, 2023.²

¹ This case does not involve confidential informants ("CI"). As such, the parties did not include a disclosure deadline for CI identities.

² The Government's discovery obligations are on-going. To the extent new discovery is identified after this deadline, the Government reserves it right to produce the subsequently

2. The Government will provide expert witness disclosures consistent with Federal Rule of Criminal Procedure 16(a)(1)(G) for its' Case in Chief no later than 60 days before trial.

3. The Government will provide expert witness disclosures consistent with Federal Rule of Criminal Procedure 16(a)(1)(G) for its Rebuttal 21 days after it receives the Defendant's expert disclosure, if any.

4. The Government is unaware of any exculpatory information. The Government will disclose all subsequently discovered information within the scope of *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), *United States v. Henthorn*, 931 F.2d 29 (9th Cir. 1991), and their progeny without regard to materiality within the government's actual or constructive possession reasonably promptly upon its discovery and sufficiently in advance of the pre-trial hearing, trial, or sentencing to ensure efficiency of the proceeding.

5. The Government will disclose all responsive information within the scope of Federal Rule of Criminal Procedure 12.1; 12.2; 12.3 no later than August 18, 2023, if applicable.

6. The Defense will provide its' expert witness disclosures consistent Federal Rule of Criminal Procedure 16(b)(1)(C) no later than September 1, 2023.

discovered information and use it, if applicable, at any pre-trial hearing, trial, or sentencing.

1 7. The Defense will file written notice of an alibi defense, insanity defense, expert
2 evidence of a mental condition, or public authority defense consistent with Federal Rule of
3 Criminal Procedure 12.1; 12.2 and 12.3 no later than August 4, 2023.

4 DATED: July 21, 2023

Respectfully submitted,

5 JASON M. FRIERSON
6 United States Attorney

7 /s/ Allison Reese
8 ALLISON REESE
9 Assistant United States Attorneys

10 /s/ Rebecca Levy
11 REBECCA LEVY, AFD
12 Counsel for Defendant
13 DAMION HAILU

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAMION HAILU,

Defendant.

Case No.: 2:23-cr-00085-ART-VCF

ORDER

IT IS THEREFORE ORDERED that the Government's deadline to disclose all discovery pursuant to Federal Rule of Criminal Procedure 16(a)(1)(A)-(F) is July 21, 2023.

IT IS FURTHER ORDERED that the Government's deadline to provide expert witness disclosures consistent with Federal Rule of Criminal Procedure 16(a)(1)(G) for its' Case in Chief no later than 60 days before trial.

IT IS FURTHER ORDERED that the Government's deadline to provide expert witness disclosures consistent with Federal Rule of Criminal Procedure 16(a)(1)(G) for its' Rebuttal 21 days after it receives the Defendant's expert disclosure, if any.

IT IS FURTHER ORDERED that the Government will disclose all subsequently discovered information within the scope of *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), *United States v. Henthorn*, 931 F.2d 29 (9th Cir. 1991), and their progeny without regard to materiality within the government's actual or constructive possession reasonably promptly upon its discovery and sufficiently in advance of the pre-trial hearing, trial, or sentencing to ensure efficiency of the proceeding.

///

1 IT IS FURTHER ORDERED that the Government's deadline to disclose all responsive
2 information within the scope of Federal Rule of Criminal Procedure 12.1; 12.2; 12.3 is August
3 18, 2023, if applicable.

4 IT IS FURTHER ORDERED that the Defense's deadline to provide expert witness
5 disclosures consistent Federal Rule of Criminal Procedure 16(b)(1)(C) is September 1, 2023.

6 IT IS FURTHER ORDERED that the Defense's deadline to file written notice of an alibi
7 defense, insanity defense, expert evidence of a mental condition, or public authority defense
8 consistent with Federal Rule of Criminal Procedure 12.1; 12.2 and 12.3 is August 4, 2023.

9 DATED this 21st day of July 2023.

10 IT IS SO ORDERED.

11 

12 _____
Cam Ferenbach
13 United States Magistrate Judge

14 DATED 7-21-2023